

to assess all damages done, suffered and incurred by the opening, widening, straightening, changing or closing of any such highway, streets, lanes or alleys, or the construction of any such subways, and any benefits or advantages accruing to any person by the same, or any one of them, as the case may be; the said Commissioners shall within ten days after notification of their appointment take an oath before the justice of the peace of the town that they will faithfully, fairly and without partiality or prejudice value and assess the loss and damage to be suffered and incurred by, and the benefits to accrue to any person interested in the property over which the highways, roads or streets, alleys or lanes are to be opened, closed, straightened, widened or changed, or such subways to be cut or constructed; and they shall give at least ten days' notice by notice in at least two public places in said town, of the time and place of meeting for the purpose of executing their commissions; they shall within ten days after such valuation and assessment report the same in writing under their hands and seals, with the certificate of their qualification as hereinbefore provided, to the Commissioners of the town, which said valuation and assessment shall be ratified or rejected by them as in their judgment may seem proper; and if any person shall feel aggrieved by the determination of the Commissioners in ratifying or rejecting the amount of compensation awarded, loss, benefits and advantages accruing or in any manner relating to the same, he may appeal within thirty days after said ratification or rejection to the Circuit Court for Charles County; either party may be entitled to a trial by jury, and the judgment of said court shall be final among the parties; provided that the person taking the appeal shall within ten days thereafter cause to be delivered to the Circuit Court the award filed by said Commissioners, together with a copy of the order of said Commissioners ratifying or rejecting the same, and all other papers relating thereto.

1929, ch. 214, sec. 32.

71. The said Commissioners may enact all ordinances necessary from time to time to exercise the powers granted in Section 70 and may exercise all such other and incidental powers and acts as may be necessary for the exercise of the powers herein conferred upon them; provided, further, that all such damage shall in all cases be paid to the respective parties or their guardians, agents or attorneys, or their personal representatives, before any such highway, roads, streets, lanes or alleys shall be opened, widened, straightened, changed or closed, or any subway shall be constructed as hereinbefore provided. None of the proceedings herein shall be held to be invalid because of neglect of compliance with matter of form; provided it shall appear that the substantial requirements herein are essentially complied with and that no injustice has been done to any of the parties because of non-compliance with such matters of form; and provided, further, that the said Commissioners shall have the same powers as to cutting across streets or highways and into adjacent lands for the purpose of draining that are now possessed by the County Commissioners or Road Commissioners for said county.